

Amendments to the Drawings:

The attached sheets include amended FIGS. 3 and 4 and a new sheet depicting FIG. 5. The replacement sheets depicting FIGS. 3 and 4 replace the sheets currently on file depicting FIGS. 3 and 4. Amended FIGS. 3 and 4 show wires or electrically-conductive threads 12 interrupted. Amended FIG. 4 also changes the reference numeral "16" vertical wire or electrically-conductive thread to the correct reference numeral -- 12 --. New FIG. 5 shows the features recited in claims 10, 11 and 15 and indicates outlet points and the potting compound with the reference numerals -- 20 -- and -- 22 --, respectively.

Attachments:

Two (2) replacement sheets of drawings (FIGS. 3-4)

One (1) new sheet of drawing (FIG. 5)

REMARKS/ARGUMENTS

The claims are 1, 4-12 and 14-15. Claim 1 has been amended to incorporate subject matter previously appearing in claim 2. Accordingly, claim 2 has been canceled. Claims 5-8, and 10 have been amended to improve their form or to better define the invention. Claims 3, 13 and 16-17 have also been canceled. FIGS. 3 and 4 have been amended to show the electrically-conductive threads or wires 12 interrupted. FIG. 4 has also been amended to indicate the vertical wire or electrically-conductive thread with the reference numeral 12 (instead of "16"). New FIG. 5 has been added to show the features recited in claims 10, 11 and 15. The specification has been amended to refer to new FIG. 5 and to identify outlet points and the potting compound with the reference numerals 20 and 22, respectively. The specification has also been amended to delete reference to claims, to add sectional headings, and to correct a clerical error with respect to the phrase "conductive threads 8." Support may be found in the disclosure, *inter alia*, at page 7 and in the original claims and drawings. Reconsideration is expressly requested.

The drawings were objected to under 37 C.F.R. 1.83(a) as failing to show the following features recited in the claims:

- a. Obliquely arranged antenna components (claim 3);
- b. Obliquely arranged antenna components in combination with web direction components (claim 3);
- c. Obliquely arranged antenna components in combination with transverse direction components (claim 3);
- d. Obliquely arranged antenna components in combination with web direction and transverse direction components (claim 3);
- e. Electrically conductive printing paste (claim 5);
- f. Outlet points (claim 10);
- g. Outlet points spacing of $\lambda/4$ (claim 11);
- h. Potting compound (claim 15); and
- i. Pre-cut section (claim 16).

The drawings were further objected to because FIG. 3 was said not to agree with FIG. 1 in that there were no breaks in conductive threads 12 and in that reference numeral "16" in FIG. 4 with respect to the conductive thread was said to be incorrect. In response, Applicant has canceled claims 2-3, 13 and 16-17 and has amended claim 5 to delete reference to the "electrically-conductive printing paste." In addition, FIGS. 3 and 4 have been amended to show the electrically-conductive threads 12 as being interrupted to conform with FIG. 1. FIG. 4 has also been amended to change the incorrect reference numeral "16" to the correct reference numeral -- 12 -- for the vertical wire or electrically-conductive thread and has also submitted a new FIG. 5 showing the features recited in claims 10, 11 and 15, including outlet points 20 having a spacing of $\lambda/4$ and the potting compound 22. The specification has also been amended to refer to new FIG. 5, including reference numerals 20 and 22.

New FIG. 5 shows a wire or electrically-conductive thread 12 in a nonwoven fabric or sections 14 that comes to the surface at locations or outlet points 20. The locations 20 have a spacing of $\lambda / 4$. On the left side of FIG. 5, the placement of a chip or circuit module 16 is shown, which is connected with the connectors of the wires 12 by way of a crimp connection.

Furthermore, a casting mass or potting compound 22 is shown, which fixes both the chip 16 and the connectors of the wire 12 in place on the nonwoven fabric 14.

It is respectfully submitted that the foregoing amendments and the new drawing sheet overcome the Examiner's objections to the drawings, and Applicant respectfully requests that the objection to the drawings be withdrawn.

The specification was objected to as referring to claims, as lacking sectional headings, and as containing a clerical error with respect to the phrase "conductive threads 8." In response, Applicant has amended the specification to correct these informalities, thereby obviating the Examiner's objections to the specification.

Claims 1-17 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for the reasons set forth on pages 5-6 of the Office Action. In response, Applicant has amended claims 1, 5-8, and 10, *inter alia*, to improve their form and has canceled claims 2-3, 13 and 16-17. It is respectfully submitted that all currently pending claims fully comply with 35 U.S.C.

112, second paragraph, and Applicant respectfully requests that the rejection on that basis be withdrawn.

Claims 1-17 were rejected under 35 U.S.C. 102(b) as being anticipated by *Van Heerden et al. U.S. Patent Application Publication No. 2003/0160732*.

This rejection is respectfully traversed.

As set forth in claim 1 as amended, Applicant's invention provides a textile material with antenna components of an HF transponder operated by connection of a circuit module to the antenna components which are tuned to a working frequency. The antenna components consist of electrically conductive components of the textile material itself which are formed as an E-field antenna, using the geometry thereof to match a working frequency in the UHF or microwave range, or by interruption or extension of a conductive section. The antenna components are arranged with mutual spacing between the antenna components or are arranged in groups of antenna components with mutual spacing between the antenna components in each group.

Thus, with Applicant's textile material as recited in claim 1 as amended, conductive wires have already been worked into a textile material at equal distances from one another. Working the wires in took place within the scope of the industrial production method of textile material, as a precautionary measure. Of the numerous antenna components that are therefore available, only at least one is used. Nothing is connected to the other wires. These wires continue to remain part of the textile material.

In contrast, in *Van Heerden et al.* as shown in FIG. 3, multiple RF tags with antennas are disposed as examples. Each RF tag 60, 65, 70, 75 has only one antenna 50 assigned to it, in each instance, in targeted manner. Therefore, it is respectfully submitted that a plurality of antennas are not disposed at equal distances from one another in the *Van Heerden et al.* arrangement, of which any desired antenna wires can be selected and used to connect to a tag.

Accordingly, it is respectfully submitted that claim 1 as amended is patentable over *Van Heerden et al.*, together with claims 4-12 and 14-15 which depend directly or indirectly thereon.

Claims 1-9 and 12-15 were provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-4 and 6-12 of co-pending Application No. "10/084,718." In a telephone conference with the Examiner on October 8, 2009, the courtesy of which is greatly appreciated and the substance of which is set forth in the Interview Summary dated November 5, 2009 and herein, the Examiner advised that the application number should correctly refer to *U.S. Patent Application Serial No. 10/585,223.*

In response, Applicant submits herewith a Terminal Disclaimer disclaiming the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending application *U.S. Patent Application Serial No. 10/585,223.* The required Terminal Disclaimer fee under 37 C.F.R. 1.20(d), along with the required Statement under 37 C.F.R. 3.73(b), are submitted as well. It is respectfully submitted that the enclosed Terminal Disclaimer overcomes the Examiner's provisional rejection based on non-statutory obviousness-type double patenting over Applicant's pending application *U.S. Patent Application Serial No.*

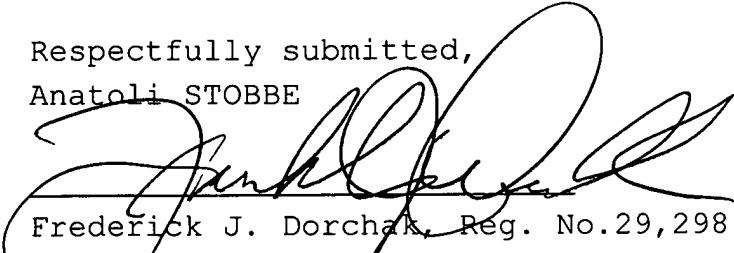
10/585,223, and Applicant respectfully requests that the provisional double patenting rejection be withdrawn.

In summary, claims 1, 5-8 and 10 have been amended and claims 2-3, 13 and 16-17 have been canceled. The specification and FIGS. 3-4 have also been amended and new FIG. 5 has been added. A Terminal Disclaimer, Statement under 37 C.F.R. 3.73(b) and the required fee are also submitted herewith. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Applicant also submits herewith a Supplemental Information Disclosure Statement.

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Respectfully submitted,
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Enclosures:

Appendix with two (2) replacement sheets of drawings (FIGS. 3-4) and one (1) new sheet of drawing (FIG. 5), Supplemental Information Disclosure Statement, Form PTO-1449 with five (5) documents, Check in the amount of \$180.00, Terminal Disclaimer, Statement under 37 C.F.R. 3.73(b), Check in the amount of \$70.00

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 1, 2010.



Amy Klein

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APPENDIX